

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

Marco Thomas Moore,)	C/A No.: 6:12-cv-03101-GRA
)	Cr. No.: 6:09-cr-01005-GRA-1
Petitioner,)	
)	
v.)	
)	
United States of America,)	ORDER
)	(Written Opinion)
Respondent.)	
)	

This matter is before the Court on Petitioner Marco Thomas Moore's ("Petitioner") motion for reconsideration. Petitioner requests that this Court reconsider the denial of his motion to vacate, set aside or correct sentence pursuant to 28 U.S.C. § 2255 ("§ 2255 Petition"). On January 16, 2013, this Court denied Petitioner's § 2255 Petition and granted summary judgment to Respondent. On January 25, 2013, Petitioner appealed the Court's order denying his § 2255 Petition. Petitioner then filed a motion for reconsideration on February 8, 2013.¹ "The filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal." *Griggs v. Provident Consumer Discount Co.*, 459 U.S. 56, 58 (1982). In this case, Petitioner appealed the order denying his § 2255 Petition before he filed a motion for reconsideration; thus, this Court lacks jurisdiction over Petitioner's motion for reconsideration.

IT IS THEREFORE ORDERED that Petitioner's motion for reconsideration is DISMISSED for lack of jurisdiction.

IT IS SO ORDERED.

¹ Prisoner motions are deemed filed when they are delivered to prison authorities for forwarding to the clerk of court. *Houston v. Lack*, 487 U.S. 266 (1986).

A handwritten signature in black ink, appearing to read "G. Ross Anderson, Jr.", written over a horizontal line.

G. Ross Anderson, Jr.
Senior United States District Judge

February 12, 2013
Anderson, South Carolina